

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

IN RE:
CHADWICK S. WILLIS and } BANKRUPTCY CASE
LISA K. WILLIS, } NO. 16-10084
590 Tammy Lane, Dawson, GA 39842 }
SSN: XXX-XX-6260; XXX-XX-3585. } CHAPTER 13 PROCEEDING
Debtors. }

NOTICE

CHADWICK S. WILLIS AND LISA K. WILLIS HAVE FILED PAPERS WITH THE COURT TO MODIFY THEIR CHAPTER 13 PLAN.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO APPROVE THE MOTION OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN RESPONSE ON OR BEFORE **JUNE 27, 2016**, TO CLERK OF THE COURT, U. S. BANKRUPTCY COURT, MIDDLE DISTRICT OF GEORGIA, P. O. BOX 1957, MACON, GEORGIA, 31202. **THE CONFIRMATION HEARING IS CURRENTLY SET FOR JUNE 7, 2016, AT 9:00 A.M., AT THE C.B. KING U. S. COURTHOUSE, 2ND FLOOR, U.S. BANKRUPTCY COURTROOM, 201 BROAD AVE., ALBANY, GEORGIA 31701. THE NEW CONFIRMATION HEARING WILL BE HELD ON JULY 11, 2016, AT 9:00 A.M., THE C.B. KING U.S. COURTHOUSE, 2ND FLOOR, U.S. BANKRUPTCY COURTROOM, 201 BROAD AVE., ALBANY, GEORGIA 31701.**

IF YOU MAIL YOUR RESPONSE TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL **RECEIVE** IT ON OR BEFORE THE DATE STATED ABOVE.

ANY RESPONSE MUST ALSO BE MAILED TO THE MOVING PARTY AND UPON ALL OTHER PERSONS INDICATED ON THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER AN ORDER GRANTING RELIEF.

THIS 6TH DAY OF JUNE, 2016.

/s/ Cawthon H. Custer
Cawthon H. Custer
State Bar No. 261690
Attorney for Debtors

P. O. Box 605
Albany, GA 31702
229/888-1105
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MOTION FOR MODIFICATION OF PLAN BEFORE CONFIRMATION

The Debtors, under the authority of §1323 of the Bankruptcy Code, file this motion for modification of plan and respectfully shows:

-1-

Debtors withdraw their Chapter 13 plan heretofore filed and substitute in lieu thereof a new plan to show that debtors are trying to get a loan modification with Citimortgage. A copy of the proposed plan is attached hereto.

-2-

After notice and opportunity for objection and upon confirmation, the plan as modified should become the Debtors' plan.

WHEREFORE, the debtors respectfully pray that this motion for modification of plan be approved.

/s/ Cawthon H. Custer
Cawthon H. Custer
State Bar No. 261690
Attorney for Debtors

P. O. Box 605
Albany, Georgia 31702
(229) 888-1105
custercusterclark@gmail.com

CERTIFICATE OF SERVICE

I certify that I have served a copy of the Notice of Time to Respond, Motion for Modification of Plan before Confirmation and Plan upon the parties listed on Exhibit "A" attached. Those not served by electronic means by the Court's electronic filing system have been served by depositing the same in the United States Mail, properly addressed, with sufficient postage affixed thereto to ensure delivery.

This 6TH day of June, 2016.

/s/ Cawthon H. Custer
Cawthon H. Custer
Attorney for Debtors

UNITED STATES BANKRUPTCY COURT
Middle District of Georgia

DEBTOR Chadwick S. Willis
Lisa K. Willis

* Chapter 13
* Case No. 16-10084

CHAPTER 13 PLAN

1. The future earnings of the debtor(s) are submitted to the supervision and control of the trustee and the debtor(s) (or the debtor(s') employer) shall pay to the trustee the sum of \$487.00 monthly.
2. From the payments so received, the trustee shall make disbursements as follows:
 - (a) The trustee percentage fee as set by the United States Trustee.
 - (b) The monthly payments will be made on the following long-term debts: (Payments which become due after the filing of the petition but before the month of the first payment designated here will be added to the pre-petition arrearage claim.)

NAME OF CREDITOR	MONTH OF FIRST PAYMENT UNDER PLAN	MONTHLY PAYMENT AMOUNT
NONE		

(c) Preconfirmation adequate protection payments will be made to the following secured creditors and holders of executory contracts after the filing of a proof of claim by the creditor. These payments will be applied to reduce the principal of the claim.

NAME OF CREDITOR	ADEQUATE PROTECTION AMOUNT
-NONE-	

(d) The following claims are not subject to cram down because debts are secured by a purchase money security interest in a vehicle for which the debt was incurred within 910 days of filing the bankruptcy petition, or, if the collateral for the debt is any other thing of value, the debt was incurred within 1 year of filing. See § 1325(a)

NAME OF CREDITOR	AMOUNT DUE	INTEREST RATE	COLLATERAL	MONTHLY PAYMENT AMOUNT
SANTANDER	20,303	4.25%	2011 NISSAN MAXIMA 1ST LIEN	373.00

(e) After confirmation of the plan, the secured creditors with allowed claims will be paid as follows:

NAME OF CREDITOR	AMOUNT DUE	VALUE	INTEREST RATE	COLLATERAL	MONTHLY PAYMENT AMOUNT
COMENITY/REEDS	2119	1000	4.25%	RING	19.00
AMERICAN FINANCE	3000	0	0	2011 NISSAN MAXIMA 2ND LIEN	0.00
COVINGTON CREDIT	500	0	0	2ND LIEN ON 2000 CHEV & EXEMPTED Tools of Trade	0.00

(f) *Attorney fees ordered pursuant to 11 U.S.C. §507(a)(2) of \$ <u>3000.00</u> to be paid as follows:					MONTHLY PAYMENT AMOUNT
-NONE-					

(g) After the above are paid, distributions will be made to cure arrearages and other secured debts whose claims are duly proven and allowed as follows:

NAME OF CREDITOR	ESTIMATED AMOUNT DUE	INTEREST RATE	COLLATERAL	MO. PMT AMT
NONE				

(h) The following collateral is surrendered to the creditor:

NAME OF CREDITOR	DESCRIPTION OF COLLATERAL
PIONEER CREDIT /1ST LIEN	SURRENDERS 2000 CHEV 1500

(i) The following domestic support obligations will be paid over the life of the plan as follows: (These payments will be made simultaneously with payment of the secured debt to the extent funds are available and will include interest at the rate of %. (If this is left blank, no interest will be paid).

NAME OF CREDITOR	PAYMENT AMOUNT
-NONE-	

(j) The following unsecured claims are classified to be paid at 100%. These payments ?CHOOSE(MSC:xPercent = 1,'will / will
not','?1(,0)? be made simultaneously with payment of the secured debt:

-NONE-

(k) All other 11 U.S.C. § 507 priority claims, unless already listed under 2(g), will be paid in full over the life of the plan as funds become available in the order specified by law.

(l) The debtor(s) will be the disbursing agent on the following debts:

**CLIENT IS TRYING TO GET A LOAN MODIFICATION WITH CITIMORTGAGE. IF THEY ARE UNABLE TO DO SO, THEY WILL SURRENDER THE HOME.
NELNET FOR STUDENT LOAN AT \$50 MONTHLY.
Dr. Robert Johnson, still using med services, w/klp**

(m) Special provisions:

(1) **DEBTORS WILL MAKE ALL PAYMENTS DIRECTLY TO THE COURT.**

(2) Upon confirmation of this plan, the court is confirming the debtor(s) has provided all necessary pay stubs as required and is otherwise in compliance will 11 U.S.C. § 521 (a) (1).

(3) Upon discharge, all purchase money and non-purchase money, non-liens and/or judicial/statutory liens in favor of the above secured creditors will be avoided pursuant 11 U.S.C. §522(f), and upon notice of discharge, the creditors shall cancel said lien(s) of record within 15 days of notice. AMERICAN FINANCE, CITIMORTGAGE, INC, COMENITY/REEDS, COVINGTON CREDIT OF GA, PIONEER CREDIT, SANTANDER CONSUMER, USA,

(n) Debtor(s) will make payments that will meet all of the following parameters (these are not cumulative, debtors will pay the highest of the three)

(i) Debtor will pay all of his disposable income as shown on Form B22C of \$ ____ to the non priority unsecured creditors in order to be eligible for a discharge.

(ii) If the debtor filed a Chapter 7 case, the priority and other unsecured creditors would receive \$ _____. Debtor will pay this amount to the priority and other unsecured creditors in order to be eligible for discharge in this case.

(iii) The debtor will pay \$ ____ to the general unsecured creditors to be distributed prorata.

(o) General unsecured creditors whose claims are duly proven and allowed will be paid:

(1) ____% dividend as long as this dividend exceeds the highest amount, if any, shown in paragraph (n)(i), (n)(ii), or (n)(iii), and the debtor pays in at least 36 monthly payments to be eligible for discharge.

(2) the debtor(s) will make the payments for 60 months and anticipates a dividend of 0, but will also exceed the highest amount shown in paragraph (n)(i), (n)(ii) or (n)(iii) above.

(p) Unless otherwise ordered by the court, all property of the estate, whether in the possession of the trustee or the debtor, remains property of the estate subject to the court's jurisdiction, notwithstanding §1327(b), except as otherwise provided in paragraph (m) above. Property of the estate not paid to the trustee shall remain in the possession of the debtor. All property in the possession and control of the debtor at the time of confirmation shall be insured by the debtor. The chapter 13 Trustee will not and is not required to insure such property and has no liability for injury to any person, damage or loss to any such property in possession and control of the debtor or other property affected by property in possession and control of the debtor.

(q) Notwithstanding the proposed treatment or classification of any claim in the plan confirmed in this case, all lien avoidance actions or litigation involving the validity of liens, or preference action will be reserved and can be pursued after confirmation of the plan. Successful lien avoidance or preference actions will be grounds for modification of the plan.

Date June 5, 2016

Signature /s/ Chadwick S. Willis

Chadwick S. Willis

Debtor

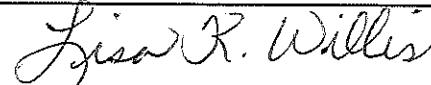


Date June 5, 2016

Signature /s/ Lisa K. Willis

Lisa K. Willis

Joint Debtor



**Chadwick S. Willis
Lisa K. Willis
Case No. 16-10084**

Georgia Department of Revenue
Bankruptcy Section
1800 Century Blvd NE, Ste 17200
Atlanta, GA 30345

US Atty Gen/Dept of Justice
Tax Division/P. O. Box 14198
Ben Franklin Station
Washington, DC 20044

Internal Revenue Service
Centralized Insolvency Operations
P O Box 7346
Philadelphia, PA 19101-7346

United States Attorney
P O Box 1702
Macon, GA 31202-1702

Georgia Income Tax Division
1105 W Broad Ave, Ste D
Albany, GA 31707

American Finance Co.
2416 Dawson Rd., Ste 1
Albany, GA 31707

Applied Business Services Inc.
Security Collection Agency
617 Southside Rd
Edenton, NC 27932

Chase Credit Cards
P.O. Box 15298
Wilmington, DE 19850-5298

Chrysler Capital
P.O. Box 961275
Ft. Worth, TX 76161

Citimortgage, Inc.
P. O. Box 6243
Sioux Falls, SD 57117

Citistreet 401k
P.O. Box 990063
Hartford, CT 06199-0063

Collection Bureau Of SW GA, Inc.
P. O. Box 70898
Albany, GA 31708

Collier And Gamble, LLP
P.O. Box 577
Dawson, GA 39842

Comenity Bank/Reeds
Attn: Bankruptcy
P.O. Box 182125
Columbus, OH 43218-2125

Covington Credit Of Georgia
109 N. Prince St. Ste B
Americus, GA 31709

Direct TV /Primestar
P.O. Box 6550
Greenwood Village, CO 80155-6550

Dish Network
Attn: Bankruptcy Dept.
P.O Box 6633
Englewood, CO 80155-6633

DOCO Credit Union
P.O. Box 71389
Albany, GA 31708-1389

Dr. Robert Johnson
267 Stonewall St SE
Dawson, GA 39842

Equity Auto Loan LLC
15 Bull St. Ste 200
Savannah, GA 31401

First Collection Services
10925 Otter Creek E. Blvd.
Mabelvale, AR 72103

Georgia Department Of Revenue
1105 W. Broad , Ste D
Albany, GA 31707

Midland Funding LLC
8875 Aero Drive, Suite 200
San Diego, CA 92123

NCO* Financial Systems Inc.
P.O. Box 17205
Wilmington, DE 19850

Nelnet Loan Services Inc.
P.O. Box 1649
Denver, CO 80201

Nuvox Communication Now
2 N Main St
Greenville, NC 29601

Pendergast & Associates PC
211 Perimeter Center Pkwy, Ste 300
Atlanta, GA 30346

Phoebe Physicians Group, Inc.
A/K/A Practice Plus Of SW GA
P.O. Box 3109
Albany, GA 31706

Phoebe Putney Memorial Hospital
P.O. Box 3770
Albany, GA 31706

Pinnacle Credit Services
P.O. Box 640
Hopkins, MN 55343-0640

Pioneer Credit/Leesburg
P. O. Box 790
Leesburg, GA 31763

Receivable Performance Management
LLC
20816 44th Ave W
Lynnwood, WA 98036

Santander Consumer USA Inc.
P.O. Box 961245
Ft. Worth, TX 76161

Stellar Rec
1327 Highway 2 West Ste. 100
Kalispell, MT 59901

The Veranda PC
2701 Meredyth Drive
Albany, GA 31707

Transworld Systems
Attn: Correspondence
507 Prudential Road
Horsham, PA 19044

Union Credit Corp
P.O. Box 71666
Albany, GA 31708-1666

US Dept Of Education
Direct Loan Servicing Center
P.O. Box 105081
Atlanta, GA 30348-5081

Verizon Wireless Bankruptcy Dept.
500 Technology Dr.
Saint Charles, MO 63304

Washington Mutual Bank
P.O. Box 5943
Sioux Falls, SD 57117

Well Street Urgent Care
3350 Riverwood Pkwy Ste 2050
Atlanta, GA 30339

Weltman, Weinberg & Reis Co.
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3705 Marlane Drive
Grove City, OH 43123

WF Financial Cards
P.O. Box 14517
Des Moines, IA 50306

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P. O. Box 9001908
Lousiville, KY 40290

Kristin Hurst
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